

REMARKS

Reconsideration and allowance in view of the foregoing amendments and the following remarks are respectfully requested.

Upon entry of this amendment, claims 1, 3, 7, 8, 12, 13, 16-21, 39-41, 44, 47, 48, 51, and 52 will be pending in the present application. Claims 2, 4-6, 9-11, 14, 15, 22-38, 42, 43, 45, 46, 49, 50 have been cancelled.

Claims 1, 3, 7, 8, 12, 42, 43, 45, 46, 49, and 50 stand rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. In particular, the Examiner rejected to the limitation of "the plurality of containers" in line 4. In response, the Applicant has deleted this limitation and replaced it with the limitation "at least one container." Secondly, the Examiner rejected claims 42, 43, 45, 46, 49, and 50 as being unclear whether the claims were directed to either the drug package alone or the combination of the drug package and the drug delivery device. In response, Claims 42, 43, 45, 46, 49, and 50 have been cancelled by the Applicant. Reconsideration and allowance of Claim 1 as well as dependent claims 3, 7, 8, 12 is requested.

Claim 19 stands rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,890,016 to Tso ("the '016 patent"). The '016 patent discloses a personal computer add-in device unit having functionality in a stand alone environment away from a personal computer. As amended, claim 19 has been rewritten as an assembly positively reciting, among other things, the drug delivery device. The '016 patent does not teach or in any way suggest the invention recited in claim 19. Accordingly, reconsideration and allowance of claim 19 is requested.

Claims 47, and 48 stand rejected under 35 U.S.C. § 102 (b) as being anticipated by U.S. Patent No. 4,617,557 to Gordon ("the '557 patent"). The Gordon patent discloses a medication compliance aid for unit dose packaging. The medical package includes electronic circuitry that has a timer and alarm to act as a medication compliance aid. In addition, the '557

patent discloses that a radio telemetry linkup may be established between the medical package and a separate housing which may be stored in a purse or pocket.

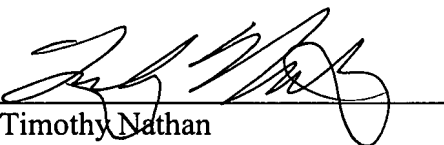
In contrast with the device described in the '557 patent, independent claim 47 has been amended as purportedly amended in the previous response to include the limitation that "... the data carrier is arranged to be powered inductively from a radio frequency signal transmitted from or associated with the drug delivery device. . ." (emphasis added). The Applicant submits that this limitation is not disclosed or suggested by the '557 patent. Accordingly, the Applicant requests reconsideration of this rejection and allowance of claims 47, and 48.

Finally, new claims 51 and 52 have been added which depend from claim 19. These claims are deemed allowable for the same reason as claim 19. In addition, claims 51 and 52 recite further detail concerning the drug delivery device which further distinguish these claims over the '016 patent. All other changes not specifically discussed in above are merely entered for clarity and were not entered for the purposes of patentability.

This response is being filed within two-months after the three-month statutory response period which expired on February 28, 2007. The Commissioner is authorized to charge these fees as well as any other fee required under 37 C.F.R. §§ 1.16 or 1.17 to deposit account no. 50-0558.

All objections and rejections have been addressed. It is respectfully submitted that the present application is in condition for allowance and notice to the effect is earnestly solicited.

Respectfully submitted,

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